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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,259	03/31/2004	Agustin Carmona		5335

7590

04/05/2005

Agustin Carmona
12914 N.W. 8th Lane
Miami, FL 33182

EXAMINER

WALCZAK, DAVID J

ART UNIT PAPER NUMBER

3751

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

** Did not receive: Returned Mail Envelope. CH*

Office Action Summary

Application No. 10/813,259	Applicant(s) CARMONA, AGUSTIN	
Examiner David J. Walczak	Art Unit 3751	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:



In the United States Patent and Trademark Office

Serial Number: 10 / 813,259

Appn. Filed: _____

Applicant(s): Agustin Carmona

Appn. Title: PortaSmile Toothbrush

Examiner/GAU: David J. Walczak / 3751

Mailed: _____

At: Miami, Florida

Submission of Corrected Drawings

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Chief Draftsperson

Sir:

New drawing sheet(s) (1) for the above application is/are enclosed, corrected as necessary. Please substitute this/these for the corresponding sheet(s) on file.

Very respectfully,

Applicant(s): Agustin Carmona

c/o: _____

Telephone: (305) 220-9958

Certificate of Mailing

I certify that this correspondence will be deposited with the United States Postal Service as first class mail with proper postage affixed in an envelope addressed to: "Commissioner for Patents, Washington, DC 20231" on the date below.

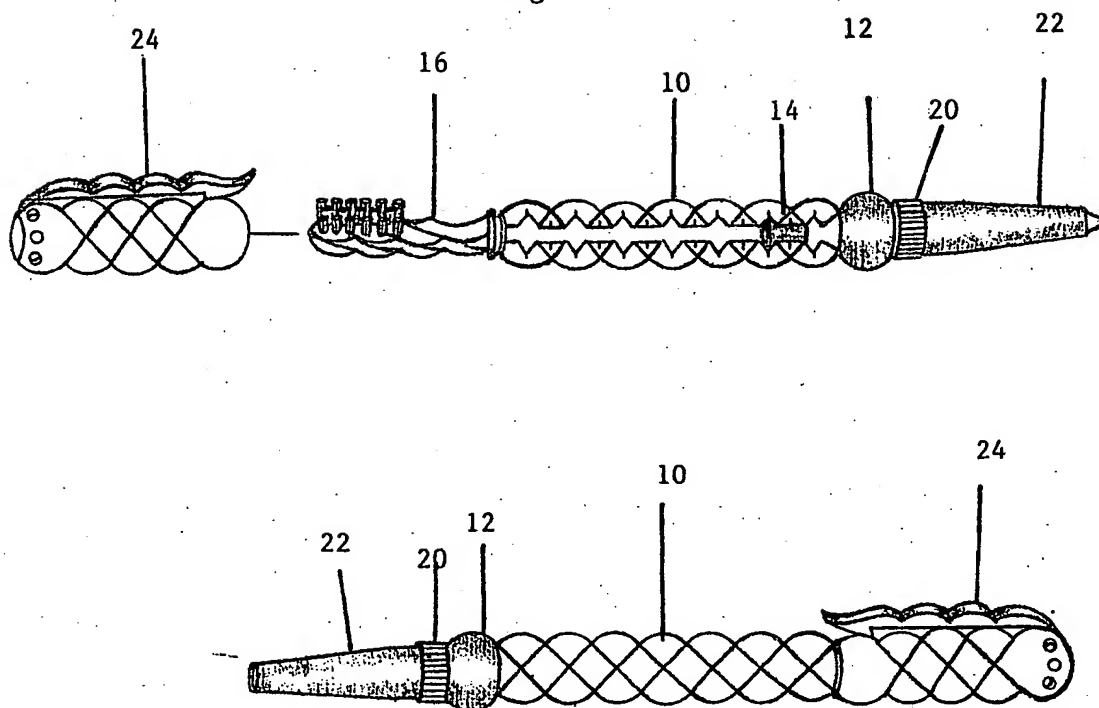
Date: 200 5 _____, Applicant





1/5

Fig. 1





In the United States Patent and Trademark Office

Serial Number: 10 | 813,259

Appn. Filed: _____

Applicant(s): Agustin Carmona

Appn. Title: PortaSmile Toothbrush

Examiner/GAU: David J. Walczak / 3751

Mailed: _____

At: Miami, Florida

Amendment A

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Letter mailed 2005 June 27, 20.05, please amend
the above application as follows:



Abstract:

Page 8, line7,replace with the following new line:

- way of an air pump(12)and a piston(14).At the distal end

Specification:

All gramatical and syntax errors have been corrected. Revised specification is attached to amendment.

CLAIMS: The following is the amended claim

1.(Canceled)

2.(Amended)A portable toothbrush pen comprising:

(a) a tubular housing body having an open proximal end,
a closed distal end and a hallow insert;

(b) said closed end of said body having male coupling
for the adaption of attaching a writting pen;

(c) said open end of said body having female coupling
for the refilling of said hallow inset and adaption
of toothbrush;

(d) said hallow inset housing a transmission system;
wherein said toothbrush, comprises generally of extending
flexible bristles; and

wherein said writting pen comprises a cone shape with
a spiral inset.

REMARKS-GENERAL

By the above amendment, Applicant has amended all grammatical and syntax errors.

Also applicant has rewritten the claim to define the invention more particularly and distinctly so as to overcome the technical rejections and define the invention patentably over prior art.

The claim Rejection Under 35 USC (103 first, Connelly consists of a plunger located within a chamber, but does not have a pen attachment. Pieters consists of multiple attachments. The same applies to Broussard and Button. While these devices fulfill their respective objectives, and requirements. The aforementioned patents disclose a writing instrument and dental device attachments. The inventive device in question, in these respects, writing dental device attachment according to the present invention substantially departs from the conventional concepts and designs of the prior art. And in doing so provides an apparatus primarily developed for the purpose of providing an instrument that needs no attachments. The apparatus in question is equipped with a replaceable writing pen and toothbrush. And is also equipped with a transmission system for the dispensing of toothpaste.

Conclusion

For all the above reasons, applicant submits that the specification and claims are now in proper form, and that the claim defines patentably over the prior art. there fore they submit that this application is now in condition for allowance, which action they respectfully submit.

Conditional Request For Constructive Assistance

Applicant has amended the specification and claim of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P) 2173.02 and)707.07 (j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,

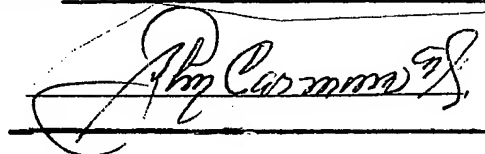
Agustin. Carmona

12914 N.W.8 TH Lane

Applicant prose.

Miami, FL 33182.

2005, June, 27.





Patent Application of
Agustin Carmona

For

TITLE: PORTASMILE TOOTHBRUSH WITH DISPOSABLE BRUSH AND INK
CARTRIDGE

CROSS- REFERENCE TO RELATED APPLICATIONS Not Applicable.

FEDERALLY SPONSORED RESEARCH Not Applicable

SEQUENCE LISTING OR PROGRAM Not Applicable

BACKGROUND OF THE INVENTION - Field of Invention

This invention relates to toothbrushes, specifically to
an improved compact and portable toothbrush.

BACKGROUND OF THE INVENTION

Originally, If one out in public or out at a Restraunt,
After a meal wanted to cleanse his or her teeth.
One would have to suffice with flossing or utilizing a
toothpick, or just simply rinsing ones mouth out with
water. Due to not having a toothbrush and toothpaste handy.
There not usually the items

Patent Application of Agustin Carmona for
PortaSmile Toothbrush With Disposable Brush

And Ink Cartridge...continued

One carries on his or her person there not items of easy portability. Due to the fixation in this day and age for oral hygiene, my product brings solutions to this fixation, and provides a writing instrument all in one.

Objects and advantages

Accordingly, several objects and advantages of my invention are;

- (A) to provide a portable and compact toothbrush;
- (B) to provide a toothbrush that dispenses its own toothpaste;
- (C) to provide a portable toothbrush that also serves as a pen.

Further object and advantages are to provide a toothbrush that can be used easily and conveniently to cleanse one's teeth which is simple to use and manufacture.

Which has a calibration window to dispense an equal amount of toothpaste every time, still further objects and advantages will become apparent from a consideration of the ensuing description and drawings.

SUMMARY

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patent Application of Agustin Carmona for
"PortaSmile Toothbrush With Disposable Brush
And Ink Cartridge" continued

In accordance with the present invention a portable toothbrush comprises, a toothpaste compartment, a brush, a cap and a ink cartridge.

DRAWINGS

Fig.1 shows a perpective view of both sides.

Fig.2 shows an exploded view.

Fig.2A to 2L shows various front and back views of the parts.

Fig.3,3A shows operational illustrations.

Fig.4 shows an instructional view.

Fig.5 shows a view of the invention split down themiddle.

DRAWINGS-List of Reference Numerals

10 housing body	16 brush head
10A pump orifice	16A opening
10B male coupling	18 ink pen cartridge
	20 cartridge compartment mount
12 air pump	22 cartridge compartment
	24 brush cap
14 piston	

Patent Application of Agustin Carmona For
 "PortaSmile toothbrush With disposable Brush
 And Ink Cartridge" continued

DETAILED DESCRIPTION-Preferred Embodiment-Figs 1,1A,and2

Fig1 shows a perspective view of the preferred embodiment of the present invention. A housing body 10 has a cavity running through it with a see through a calibration window, a pump orifice 10A, and a male coupling 10B. The housing body 10 also houses a piston 14, a hollow brush head 16 with an opening 16A inbetween bristles at the base of the brush head 16. A brush cap 24 with respiratory holes at the top of the cap and a clip along side of the brush cap 24. An air pump 12 slides on through the distal end of the housing body 10. The air pump 12 inner piece as illustrated in (fig 2B) goes over pump orifice 10B. Next, one inserts an ink cartridge 18, its followed by the cartridge compartment 22. The ink cartridge 18 has a body with a spiral groove running the length of the body, at the head it has a gib locking pin.

The cartridge compartment 22 at its widest opening face has an outer border. One then slides on a cartridge compartment mount 20, thread side facing inward. the cartridge compartment mount 20 has an inner border that catches the cartridge compartment 22 outer border. By screwing on the cartridge compartment mount 20 to a male coupling 10B on the housing body 10, it locks the cartridge compartment 22 in place.

Patent Application of Agustin Carmona For
 "PortaSmile Toothbrush With Disposable Brush And
 Ink Cartridge" continued

Operation of Invention Figs 3,3A and 4

The manner of using the PortaSmile is similar to that of toothbrushes in present use. Namely, one first unscrews the brush head 16 from the housing body 10. Next, one screws on a standard tube of toothpaste as illustrated in (Fig.4). By squeezing tube of toothpaste it fills the housing body's 10 cavity pushing back the piston to the starting position. then, one unscrews toothpaste tube, screws brush head 16 back on. It's now loaded and ready for use. To use, one simply removes brush cap 24. then, one pushes down the air pump 12 continuously as illustrated in (Fig.3A). Which fills housing body's 10 cavity with air that in turn pushes on the piston 14. The piston 14 pushes on toothpaste, which travels the housing body 10 cavity through the hollow brush head 16, coming out through the opening 16A at the base of the brush head 16.

The housing body 10 has a see through window as illustrated in (Fig.1), with calibration marks. so one can always use an equal amount of toothpaste. One then cleanses teeth surface as one would with a conventional toothbrush. When one is done cleansing the surface of the teeth, one simply replaces brush cap 24. The brush cap 24 has respiratory holes at its top for the airing out and drying of the brush bristles. To use the pen part of the toothbrush one simply turns the cartridge compartment 22 in a clockwise rotation as illustrated in (Fig.3A). Which in turn grips the ribs on the head of the ink cartridge 18.

Patent Application of Agustin Carmona For
"PortaSmile Toothbrush With Disposable Brush
And Ink Cartridge" continued

BY catching the gib it turns along the spiral groove as illustrated in (fig.3a). Once head of the ink cartridge 18 comes out its ready for use. When one is done, one simply turns cartridge compartment 22 in a counter clock wise rotation as illustrated in (fig.3) Until head is in ink compartment 22.

Conclusions, Ramifications, and scope of Invention

Thus the reader will see that the toothbrush of this invention provides a highly reliable, lightweight, compact, yet economical device that can be used by persons of almost any age. And can be clipped and carried in ones pocket, just as one one carry a pen.

Patent Application of Agustin Carmona for
"PortaSmile Toothbrush with Disposable Brush and
Ink Cartridge" continued

ABSTRACT: A compact and portable toothbrush/pen and of the type having a housing body(10) with an internal cavity for the transmission of toothpaste to a brush head(16) by way of an air pump(12) and a piston(14). At the distal end is housed a ink pen cartridge(18) covered and kept in place by a cartridge compartment(22) And a cartridge compartment mount(20).